

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) 17.05.2005
Applicant's or agent's file reference		FOR FURTHER ACTION <i>See paragraph 2 below</i>
International application No. PCT/ES2005/000037	International filing date (day/month/year) 29.01.2005	Priority date (day/month/year) 31.01.2004
International Patent Classification (IPC) or both national classification and IPC G09B5/06		
Applicant PALACIOS ORUETA, Angel		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ES	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
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International application No.
PCT/ES2005/000037

Box No. I	Basis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.	
<input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).	
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:	
a. type of material	
<input type="checkbox"/> a sequence listing	
<input type="checkbox"/> table(s) related to the sequence listing	
b. format of material	
<input type="checkbox"/> in written format	
<input type="checkbox"/> in computer readable form	
c. time of filing/furnishing	
<input type="checkbox"/> contained in the international application as filed.	
<input type="checkbox"/> filed together with the international application in computer readable form.	
<input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.	
3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.	
4. Additional comments:	

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International application No.
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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims <u>1-36</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims _____	YES
	Claims <u>1-36</u>	NO
Industrial applicability (IA)	Claims <u>1-36</u>	YES
	Claims _____	NO

2. Citations and explanations:

Documents taken into consideration:

Doc	Publication or Identification no	Pub. date
D1	US 6077085 A (Parry et al.)	20 June 2000
D2	US 4884972 A (Gasper)	5 December 1989

The present report is based on the reference patent application PCT/ES2005/000037, which comprises 36 claims, 8 of which are independent and the rest dependent.

Claim 1 claims a system for processing samples of a language which comprises means for generating modified versions of the samples by applying modifications. Claims 2 to 10 relate to various aspects of the sets of modifications, called relations, which result in the modified samples, called modified extracts. These modifications basically consist in displaying, moving or highlighting text. Claims 11 and 12 describe how words are moved. Claims 13 and 14 relate to the use of the system in language learning for generating a set of data. Claims 15 to 17 relate to the platform used to implement the system.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Claim 18 claims a method that uses the system described.

Claims 18 to 30 are linked to claims 1 to 14, apart from claim 4, respectively. Lastly, claims 31 to 36 relate to a computer program, a readable medium and a set of structured data which make it possible to produce the system and method claimed.

The features of claims 1-36 can be deduced obviously from document D1. Specifically, document D1 describes a system, method and apparatus for technology assisted learning. Mainly from line 35 of column 2 to line 17 of column 4, from line 20 of column 5 to line 17 of column 6, from line 36 to 47 of column 10 and from line 45 to 61 of column 22, it describes an interactive computer system that allows a student to learn to speak a foreign language by dividing phrases into parts and making changes to them, such as for example the highlighting of text, or the displaying of correct text which is shown to the student after being played back audibly. The system also applies to the storage of terms, for example scientific terms, grouped together in a database. It includes the possibility of marking text and creating audio files associated with each piece of text.

Likewise, the features of claims 1-36 can be deduced obviously from document D2. Specifically, document D2 describes an audiovisual system for language instruction or video training. Mainly from line 54 of column 2 to line 50 of column 4 and from line 17 to line 28 of column 6, it describes the use of video and sound images of a real person which can be broken down into their constituent parts to produce fragments. It provides for

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Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
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synchronized pronunciation and highlighting of the text.

The system makes it possible to make a high number of
modifications to the text or the sound.

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International application No.
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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Although this International Searching Authority has performed the search and issued the relevant international search report, it must be pointed out that significant aspects of the invention claimed correspond to types of subject matter referred to in Rule 39 of the Regulations under the Patent Cooperation Treaty, in particular as regards schemes, rules or methods of performing purely mental acts, mere presentations of information and computer programs.

Likewise, based on the claims, we would inform the applicant that there could be problems, including the possibility of refusal, when it comes to processing the present patent application in countries whose law considers the subject matter of the application to be unpatentable. In this regard, we would recommend reading Article 27 of the Patent Cooperation Treaty, in particular subparagraph 5, reproduced below:

(5) Nothing in this Treaty and the Regulations is intended to be construed as prescribing anything that would limit the freedom of each Contracting State to prescribe such substantive conditions of patentability as it desires. In particular, any provision in this Treaty and the Regulations concerning the definition of prior art is exclusively for the purposes of the international procedure and, consequently, any Contracting State is free to apply, when determining the patentability of an invention claimed in an international application, the criteria of its national law in respect of prior art and

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other conditions of patentability not constituting requirements as to the form and contents of applications.

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<p>1. Statement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Novelty (N)</td> <td style="width: 40%;">Claims</td> <td style="width: 30%; text-align: right;">YES</td> </tr> <tr> <td></td> <td>1 - 36</td> <td></td> </tr> <tr> <td></td> <td>Claims</td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td>YES</td> </tr> <tr> <td></td> <td>1 - 36</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>YES</td> </tr> <tr> <td></td> <td>1 - 36</td> <td>NO</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> </tr> </table> <p>2. Citations and explanations:</p> <p>Documents taken into consideration:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; padding: 5px;">Doc</th> <th style="text-align: left; padding: 5px;">Publication or Identification no</th> <th style="text-align: left; padding: 5px;">Pub. date</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">D1</td> <td style="padding: 5px;">US 6077085 A (Parry et al.)</td> <td style="padding: 5px;">20 June 2000</td> </tr> <tr> <td style="padding: 5px;">D2</td> <td style="padding: 5px;">US 4884972 A (Gasper)</td> <td style="padding: 5px;">5 December 1989</td> </tr> </tbody> </table> <p>The present report is based on the reference patent application PCT/ES2005/000037, which comprises 36 claims, 8 of which are independent and the rest dependent.</p> <p>Claim 1 claims a system for processing samples of a language which comprises means for generating modified versions of the samples by applying modifications. Claims 2 to 10 relate to various aspects of the sets of modifications, called relations, which result in the modified samples, called modified extracts. These modifications basically consist in displaying, moving or highlighting text. Claims 11 and 12 describe how words are moved. Claims 13 and 14 relate to the use of the system in language learning for generating a set of data. Claims 15 to 17 relate to the platform used to implement the system.</p>			Novelty (N)	Claims	YES		1 - 36			Claims	NO	Inventive step (IS)	Claims	YES		1 - 36	NO	Industrial applicability (IA)	Claims	YES		1 - 36	NO		Claims		Doc	Publication or Identification no	Pub. date	D1	US 6077085 A (Parry et al.)	20 June 2000	D2	US 4884972 A (Gasper)	5 December 1989
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